

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

XEROX CORPORATION

Plaintiff

vs. : CIVIL ACTION NO.

PHOENIX COLOR CORPORATION : L 02CV 1734

and

TECHNIGRAPHIX, INCORPORATED

Defendants

Deposition of ARMANDO GARCIA, III, taken
on Monday, March 3, 2003, at 1:37 p.m., at the
law offices of Piper Rudnick, LLP, 6225 Smith
Avenue, Baltimore, Maryland, before Bonnie L.
Russo, Notary Public.

Reported by:

Bonnie L. Russo

CRC-SALOMON

Baltimore, Maryland

Phone (410) 821-4888 Fax (410) 821-4889



COPY

1 STATE OF MARYLAND
2 SS:
3 I, BONNIE RUSSO, a Notary Public of the
4 State of Maryland, do hereby certify that the
5 within named, ARMANDO GARCIA, III, personally
6 appeared before me at the time and place herein
7 set out, and after having been duly sworn by me,
8 was interrogated by counsel. I further certify
9 that the examination was recorded
10 stenographically by me and this transcript is a
11 true record of the proceedings.
12 I further certify that I am not of counsel
13 to any of the parties, nor an employee or
14 counsel, nor related to any of the parties, nor
15 in any way interested in the outcome of this
16 action.
17 As witness my hand and notarial seal this
18 17th day of March, 2003.
19
20 My commission expires: _____
21 August 25, 2004 Notary Public.

CRC-SALOMON
Baltimore, Maryland
Phone (410) 821-4888 Fax (410) 821-4889

CRC-SALOMON
Baltimore, Maryland
Phone (410) 821-4888 Fax (410) 821-4889

21 their existing gear.
20 refinancing for them at their request on some of
19 but I do remember that. And we did some
18 their monthly outlay. I am not exactly sure why,
17 discussion about them being uncomfortable with
16 A. I remember later there being a
15 payment?
14 discussion about a need to lower the monthly
13 Q. Do you recall whether there was any
12 this circumstance.
11 to me. I don't recall anything very unique about
10 there is a unique situation that they would come
9 The reps know their abilities and it's only if
8 them, I can recall had a lot to do with pricing.
7 of the discussions, at least not very many of
6 A. I don't believe so. I don't think any
5 that went beyond your empowerment level?
4 did they ever ask for any sort of special pricing
3 Q. In your interaction with Phoenix Color
2 recall.
1 A. I don't believe so. Not that -- I don't

CRC-SALOMON
Baltimore, Maryland
Phone (410) 821-4888 Fax (410) 821-4889

21 what?

20 Q. And that you said vice president of

19 Phoenix Color.

18 Color who was integrating Technigraphix into

17 Phoenix Color. He was the person from Phoenix

16 A. As the vice president of operations for

15 employee of Phoenix Color?

14 Q. How did he present himself as an

13 else. That's the way he presented himself.

12 A. I never believed him to be anything

11 whether Donnie was an employee of Phoenix Color?

10 Q. Did you have an understanding as to

9 specific.

8 A. Hello maybe. I don't remember anything

7 Q. Do you remember Donnie saying anything?

6 day or not.

5 A. I don't remember if Ed was in town that

4 up with?

3 Q. Anyone else at Hagerstown that you met

2 remember.

1 A. Donnie is the only other person I can

CRC-SALOMON
Baltimore, Maryland
Phone (410) 821-4888 Fax (410) 821-4889

21 would assume since the only places I remember
20 A. I don't recall if it was that meeting. I

19 Hagerstown?

18 the card while he was at that meeting in
17 Q. Do you recall whether he had handed you

16 done things like that before.

15 Phoenix color for years and that I guess he had

14 conversations were always that he had been with

13 color, no. But he did hand me a card and the
12 recall him saying I am vice president of Phoenix

11 wouldn't even ask the question. But I don't
10 card and said they are vice president I probably

9 assume he said it. If someone handed me their

8 A. I don't recall if he said it. I would

7 president of Phoenix color?

6 Q. Do you ever recall him saying I am vice

5 operations.

4 said vice president of something. I think it was

3 remember that part. I know I had a card that

2 like that. I don't really recall. I don't

1 A. I think it was operations or something